

PLANNING AND ZONING COMMISSION  
STAFF REPORT

September 7 of 2006



**CU 06-11: Aaron Rent's, Inc.**

**CASE DESCRIPTION:** request for approval of a Conditional Use Permit to allow automobile repair on property in a 'C-2' Retail zoning district

**LOCATION:** 3516 South Texas Avenue between Mary Lake Drive and Dunn Street in southern Bryan, Brazos County, Texas

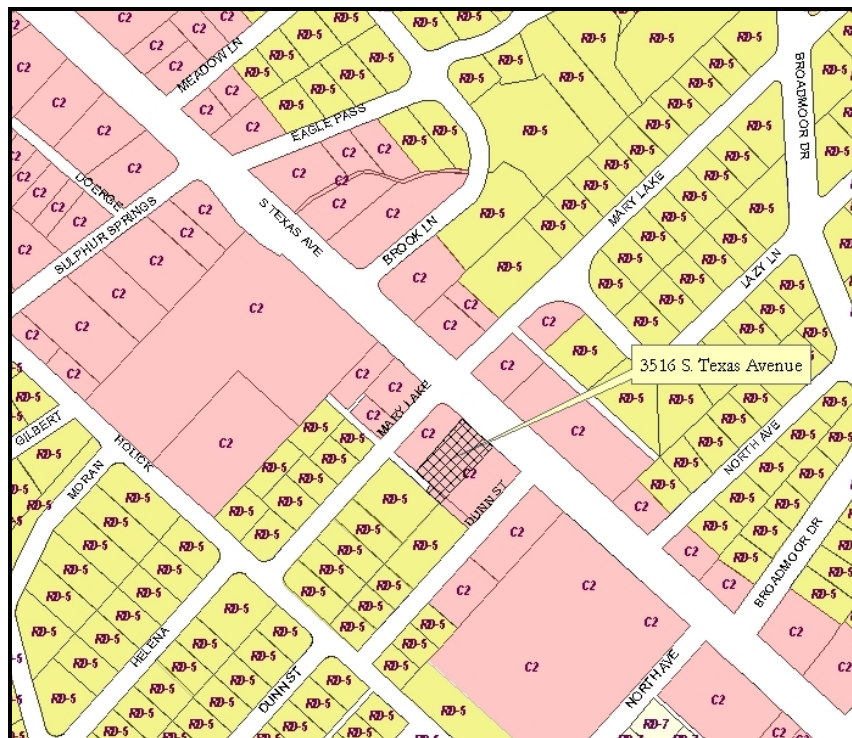
**LEGAL DESCRIPTION:** Lots 2 and 3 in Block 1 of Ramsey Place Subdivision, as well as a 20-foot wide and 50-foot long segment of an abandoned alley right-of-way

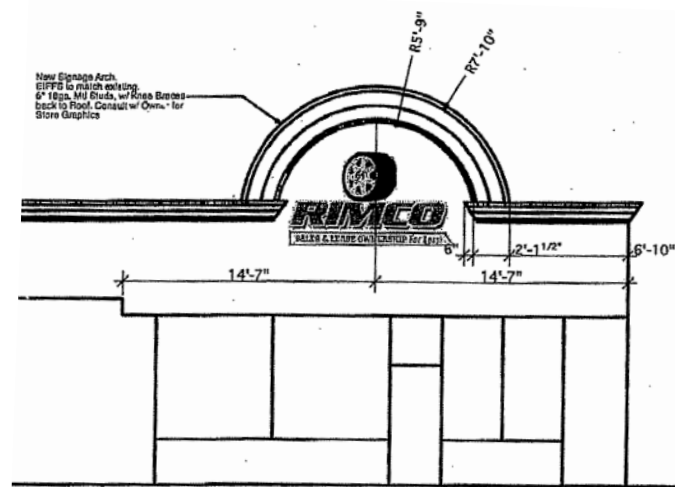
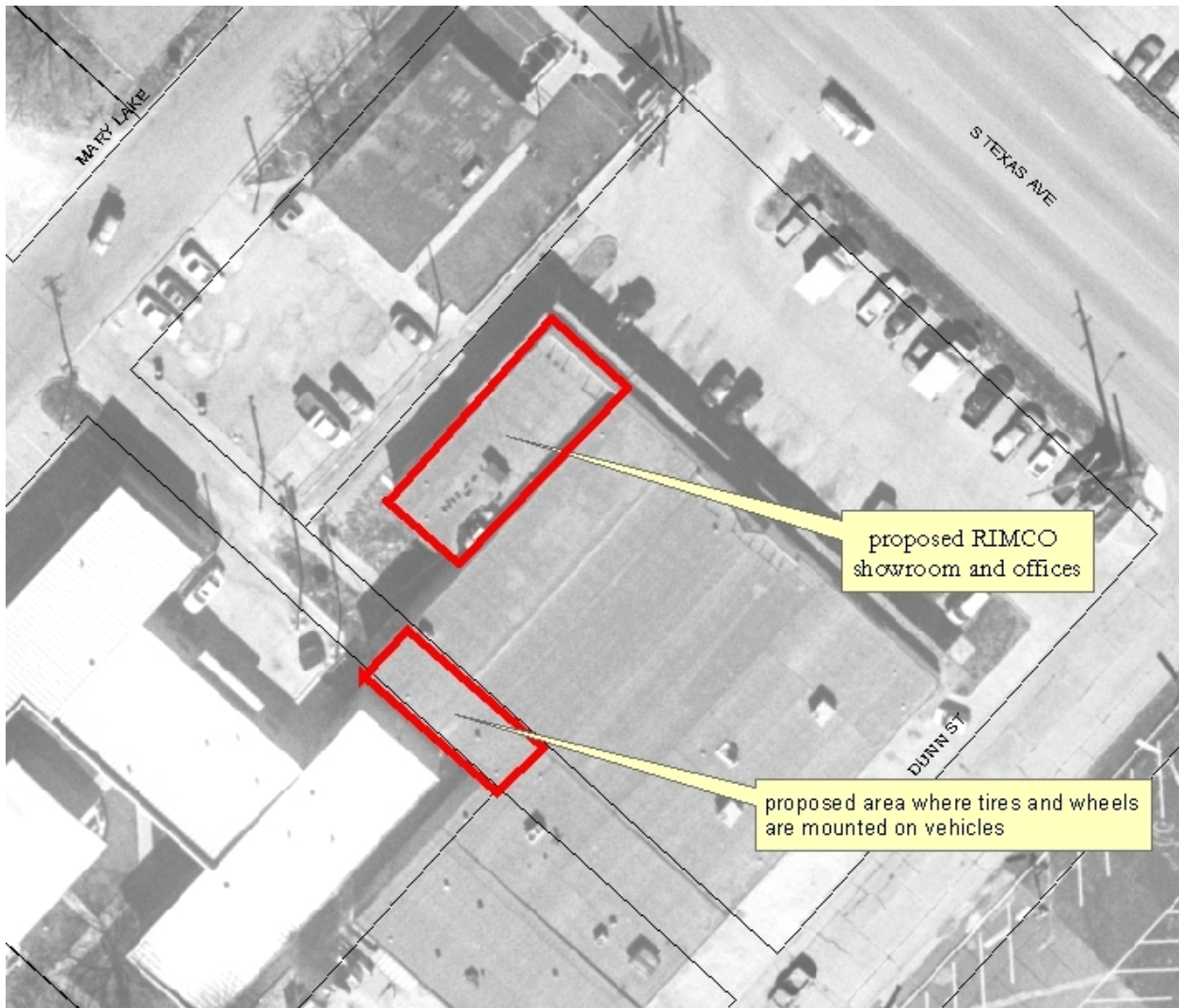
**EXISTING LAND USE:** retail sales and service, vacant commercial building

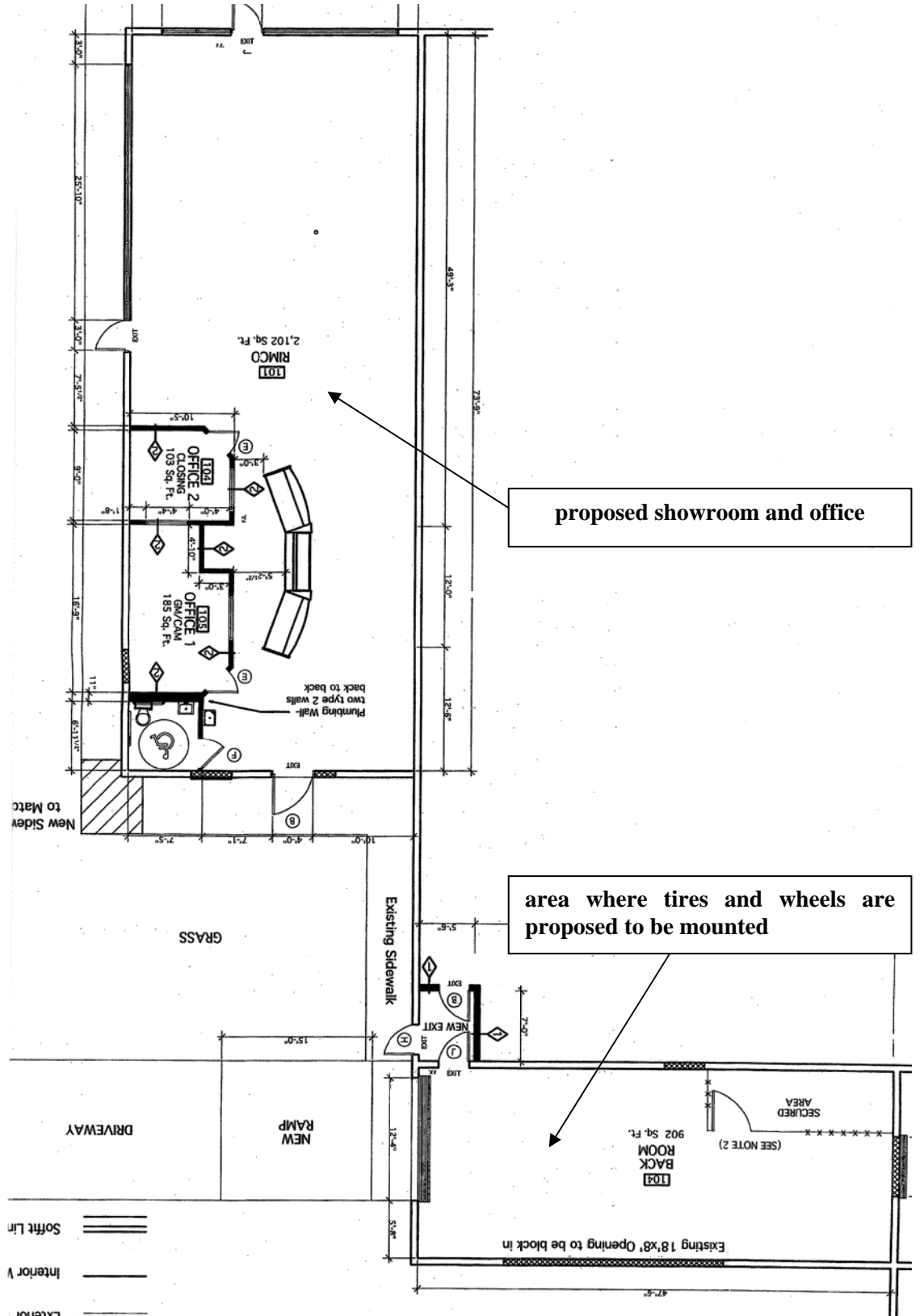
**APPLICANT(S):** Darryl C. Darmin of Continental Construction and Management, Inc.

**STAFF CONTACT:** Martin Zimmermann, Project Planner

**SUMMARY RECOMMENDATION:** Staff recommends **approving** this Conditional Use Permit, **subject to certain conditions**. Please see page five of this report for a more detailed description of staff recommendations.







## **BACKGROUND:**

The applicants desire to use a portion of an existing commercial building on property at 3516 South Texas Avenue to sell and lease automobile rims and tires. As part of their service, the applicants wish to be able to install rims and tires on customer vehicles at the time of purchase. The remainder of this existing structure is occupied by retail sales and service uses. Facilities of the Brazos County Academy are located immediately south of the subject property on land zoned 'RD-5' Residential District – 5000.

Minor repair or replacement of automobile parts and tires is defined by Bryan's Zoning Ordinance as an automobile repair activity. The subject property is zoned 'C-2' Retail District, which allows automobile repair uses only with approval of a Conditional Use Permit from the Planning and Zoning Commission. The applicants are requesting such a Conditional Use Permit to be able to install automobile rims and tires on customer vehicles at this location.

## **ANALYSIS:**

Approval of a Conditional Use Permit by the Planning and Zoning Commission shall be based upon the following criteria.

1. Conformance with Zoning Ordinance

**Automobile repair establishments are often characterized by noisy, unsightly and even noxious activity, including outside storage of automobiles and materials. Auto body repair shops, in particular, are almost always likely to have damaged and even wrecked automobiles (awaiting repair) stored outdoors, as well as miscellaneous auto parts and equipment. Bryan's Zoning Ordinance, therefore, limits such establishments to Commercial and Industrial zoning districts and allows such uses only with approval of a Conditional Use Permit in Retail zoning districts.**

**Residential neighborhoods deserve protection from noxious and unsightly activities. Staff would not ordinarily recommend allowing an automobile repair establishment to locate so close to a residential zoning district and in proximity to residence. In this particular case, however, staff believes that an establishment installing only automobile rims and tires at this location should have little negative impact on this area, if no outdoor repair and service of vehicles were allowed and outside storage of material and equipment were prohibited.**

2. Compatibility with Surrounding Land Uses

**Staff believes that an establishment installing only automobile rims and tires at this location will generally be compatible in this particular environment.**

3. Effect on Vehicular and Pedestrian Traffic in the Vicinity

**Staff does not anticipate negative effects on vehicular and pedestrian traffic if the Conditional Use Permit were approved, in this particular case.**

4. Protection from Erosion, Flood or Water Damage, Fire, Noise, Glare, and Similar Hazards or Impacts

**If the Conditional Use Permit were approved, staff believes there to be few (if any) adverse effects on adjacent properties, so long as the recommended conditions limiting automobile**

**repair activity at this location (see below) are fully followed.**

5. Adequacy and Convenience of Off-street Parking and Loading Facilities

**Off-street parking and loading facilities will be provided in accordance with requirements of the Land and Site Development Ordinance.**

6. Conformance with the Objectives and Purpose of the Zoning District

**The ‘C-2’ Retail District is intended to provide development opportunities for general retail trade, business and service uses. Staff believes the proposed installation of automobile rims and tires conforms to the objective and purpose of this zoning classification.**

#### **RECOMMENDATION:**

Staff **recommends approving** the requested Conditional Use Permit to allow automobile repair on the subject property, **subject to the following conditions:**

- **Automobile repair activity shall be restricted to the installation of automobile rims and tires.**
- **No outdoor repair and service of vehicles shall be allowed.**
- **No outside storage of material and equipment shall be allowed in conjunction with allowed automotive repair and service activity.**